

## THE HERALD.

JNO. P. BARRETT, Editor.

WEDNESDAY, FEB. 27, 1878.

## The Whipping-Post.

We unhesitatingly avow ourselves opposed to the re-establishment of the whipping-post. To say that it is a relic of barbarism is only to utter a common expression, which has become common because everybody believes it. To mangle the human flesh by way of punishment, suggests the thumb-screw and rack of the inquisition, and calls to mind the paraphernalia of a torture-room. Experience has proven that cruel and unusual punishments are no more efficacious in the repression of crime than more humane measures. It was once the custom to execute eight and ten year old boys for stealing tin cups off from the public fountains, and to hang men and women by the wholesale for larceny, and for stealing alone an average of more than five hundred per year were executed in the city of London. Such cruel and unnecessary punishments at length became intolerable, and now there is an express constitutional provision against such punishments.

Why was it that putting men to death did not deter other men from stealing? Why does not the death penalty deter men from the crime of murder? To answer these questions would take more time and space than is now convenient. We suppose there is, and, indeed, know there is, much petty violation of law, but that hanging will stop it we do not believe; that mangle human flesh will stop it we do not believe. These things have been tried and have failed. So long as there is decadence in the country, so long will there be petty larceny—and we are by no means willing to admit that every person who commits a petty theft, is a natural-born thief, and beyond all reclamation. We oppose the whipping-post because it is a brutal and nauseating punishment, and when on the statute books was a dead letter because juries would not assess the penalty and because officers would not inflict the punishment. To our mind it takes an unenviable degree of hard-heartedness to ply the lash into the quivering flesh of the quivering victim, even under the forms of law. We oppose the whipping-post because such an exhibition is degrading to the public morals, it is done publicly; and if done privately, less its intended effect, and degrades the individual. It is argued that many men would rather fly in a jail than not, especially in winter. The argument is utter nonsense. We never saw a man but who shuddered as he entered the prison cell, and never saw a man that would stay one moment after his doors were opened.

Many a lawyer, in defending some idle fellow, whom, one would suppose, had rather be in jail than out of it, will know how earnestly he has been entreated by his client not to let him go to jail. There is an instinct of freedom in high and low that makes confinement the most irksome punishment that can be inflicted. Confine a man beyond human voices and in thirty days he will beg to have his name called that he may hear a human voice.

Believing that men who commit petty offenses may outlive the act and become useful men, we deem any sort of punishment that forever attaches its mark like the brand of Cain, and becomes a living weight altogether out of proportion to the offense. Hanging and torture, whipping and slavery, are of the past—so let them remain.

We hope our Representatives will not place the State on the downward grade towards barbarism.

## The Bank Bill.

We have examined the bank bill recently passed by the House of Representatives, known as the "Bigger Bank Bill," and gives it our unqualified approval. The bill was introduced by Judge Bigger of Paducah, and has for its object the lavation of bank stock which heretofore has been exempt with the exception of a tax of fifty cents upon each share. We are at loss to conceive what plausible argument can be adduced against taxing a share in a bank worth one hundred dollars in the same manner and form and at the same rate that any other property or form of wealth is taxed which is of equal value. If a man owns a horse worth one hundred dollars he is taxed for county and town purposes or the value thereof. Now let him sell the horse and invest the one hundred dollars in a bank and he pays no tax. Now, why? If he says it is because he is a banker, then it will be urged that we are appealing to the prejudices of the people. Well, if that is not the reason why some one, pray, give us the reason? When a man can consistently sit down with a million dollars in a bank, and not pay a farthing to keep up the county or town in which he lives, we think it high time to make some sort of an appeal to somebody to correct this inequality of taxation. We regard bank stock, railroad stock, or any other kind of stock just as we do any other kind of property, liable to the same burdens,

subject to the same equality of taxation, and to be taxed at the same rate that other property is taxed for State, county and town purposes. The bill is well guarded. The owner of bank stock pays on the stock where he lives, not where the bank is located. Heretofore a man who had money loaned in Louisville, and when called upon at Harford the same man would solemnly declare that he was only taxable in Louisville, and thus escaping tax altogether. The collector of each bank is directed to keep a sworn list of the shareholders, with the value of the stock at all times accessible for inspection by the town or city assessor. The collector of each bank has a right to sue for the tax assessed, and the collector is directed to keep out of any dividend declared an amount equal to the tax levied, and in event of failure so to do, the bank is liable. There are other provisions which are intended to enforce the act, which we will not now notice.

We hope the Senate will pass the bill. It is right, fair, equitable and just.

The Greenbacks held their convention at Toledo and adopted the name of National Party, repudiated all of the old parties and adopted a straight-out Greenback platform. Gen. Sam. F. Carey and Blanton Duncan vented themselves to their hearts' content. Why such an organization is thought necessary, in view of the fact that the Democratic party is giving all the aid and support to the measures of relief for the country demanded, we are at a loss to conceive. Our Senators and Representatives in Congress are supporting the identical measures for which they clamor and have adopted in their platform, and are battling step by step the unrighteous demands of the bond-holding shysters. The only possible hope of the country to bring relief and re-establish a plentiful and sound currency, give life, hope and energy to a despairing people, is in the Democratic organization that has already accomplished wonders, and in the interests of the nation steadily devotes all her energies.

## The Appellate Judgeship.

From an editorial notice in the Owensboro Examiner, published elsewhere, it will be seen that Hon. W. N. Sweeney is now unquestionably a candidate for the Appellate Judgeship. It will be remembered that he accepted the flattering call made upon him by a large number of the Owensboro bar, only upon the condition that Judge Lindsay will not be a candidate for reelection. It is now certain that Judge Lindsay will not be a candidate for the race. The Examiner's notice, while very complimentary, does not enlarge upon Mr. Sweeney's ability, efficiency and energy. He is undoubtedly well qualified.

The Democratic State Convention of Indiana, on the 20th inst. at Indianapolis, was one of the largest ever assembled in the State, and was presided over by ex-Governor Hendricks, who, upon taking the chair, made one of his able and sensible speeches, placing himself clearly in position with the party of his own State, and in line with the Democracy of the whole Union, for in this speech his views are not to be mistaken, and all the efforts to place him in a doubtful position upon the financial question have signally failed. He is sternly with the great masses of the people to day as Senator Voorhees or any of the distinguished men of the party, and is the prospective President of the United States.

With great unanimity the Convention nominated Col. Shunklin, editor of the Evansville Courier, for Secretary of State. He is able and successfully battled for his party, and will carry an influence into the canvass that will secure success. The other nominations were equally strong, and with the meritorious platform, the old Hoosier State will come out of the battle covered all over with an additional glory, of which any State may feel proud, envy and emulate.

When the news of the passage of the Silver Bill through both Houses of Congress, reached London, instead of our bonds depreciating and being shipped back home by the ship load, as stated for fact by John Sherman, they actually advanced in value. The Senate has voted to extend the Session beyond the sixty days limit and the House has the same thing under advisement and will probably not likewise. We do not see how they could adjourn now and leave so many important measures not acted upon.

The Greenback Convention met at Toledo, Ohio, last Friday, and effected an organization and adopted a platform of principles. Judge B. L. D. Guity of Morgantown was in attendance and was accorded positions on several important committees. The platform contains thirteen planks which we will give to our readers hereafter—not having space this week.

The Examiner is mistaken in the number of entries for the Appellate Judgeship. Judge Caswell Bennett is in the ring, and he will not be the hindmost horse, by a jugful.

William H. Hillsman, Livermore, McLean county, Ky., was born in Amelia county, Virginia, on the 15th July, 1819. He received his early education at different academies in the counties of Amelia and Powhatan, Virginia—attended Harvard, Sidney College of that State, and was graduated at the Jefferson Medical College, Philadelphia, 1843, and subsequently attended the Pennsylvania Hospital, and the medical department of the University of Pennsylvania in 1850 and 1851. He has been practicing medicine ever since in connection with treating and the drug business. He was elected President of the Green River Medical Association in 1872 and of the McLean County Medical Society in 1876. Up to 1860 he was an old line Whig, since which time he has been a zealous Democrat, and, as the Democratic nominee, was elected in August last to represent McLean county in the General Assembly of Kentucky.—Frankfort Yeoman.

## Hon. J. A. McCallister.

Representative of the Second Kentucky District, made his maiden speech a few days since, which we hear highly complimented. We have not yet seen a copy of it, and regret we can not give a synopsis of its points. Mr. McCallister is serving his first session, and of course has not felt disposed to push himself toward the front. But he will get there in time. He has talents, acquisitions, and every element necessary to a successful politician and useful statesman.—Washington Correspondent Elizabethtown News.

"Now if our legislators will make a six percent interest law, repeal the bond and redemption laws, petition to Congress to repeal the bankrupt act in full, establish the old whipping post law for petty larceny, and then take a drink and get home, and come home and let these mud crabs, such as Barron, Green river and Tradesmen river run on, and not offer any obstruction at all, they will render a favor. 'Certo Gordo' is so in the words of the prophet: 'Let them have peace' this spring."—Princeton Banner.

The Danville Local has been enlarged to a six column and is well filled with witty, humorous paragraphs and local items. It is only eight weeks old and if it keeps on growing at this rate it will be a mammoth sheet pretty soon. Boyle & Nichols are at the helm, and will send you the Local for \$1.00 per annum.

The Mayfield Democrat says, that Hon. W. N. Sweeney was present on County Court day, Monday 18th. A large crowd was in attendance. It adds, "His remarks were listened to attentively and we think he made a favorable impression on his hearers."

Kentucky coal yesterday achieved quite a triumph over the Pittsburgh product. The McHenry Company, of this city, was awarded a contract for 400,000 bushels of coal to be furnished the Short-Line.—Courier-Journal.

Talking about big salaries, it seems from the investigation that Judge Price, City Judge of Louisville, gets \$8,845 and the City Clerk \$3,800. Cut 'em down Mr. Lawmakers.

Our Senator, S. E. Hill, has passed a bill through the Senate to maintain a graded school in our town. Harrah for Hill! Now will our people carry out the provision of the bill? or will they still slumber on in their "Rip Van Winkle" style, just as they have been doing for the last half century?

Hon. J. F. Clay, of Henderson, is announced as a candidate for Congress. He is a native of Henderson—has served one term in the State Senate, and is a very intelligent, sensible worthy young man.

J. L. Allen, of Boyle county, has been called upon to become a candidate for Superintendent of Public Instruction.

The bill granting pensions to soldiers of the Mexican war, has passed both Houses of Congress.

Speaker Turner's bill to prohibit the carrying of concealed weapons, passed the House last week.

Hon. C. T. Allen, of Caldwell county, is a candidate for Congress in the First District.

## Holy Father Leo XIII.

The Courier-Journal is informed by the Rev. Father Cesar Caccianini that the newly-elected Pope has many qualities similar to the late Holy Father Pius IX. He is a well educated man, and, at the same time, amiable. He is not aristocratic, but popular, and very generous to the poor. Rev. Father Cesar Caccianini was born in Italy, and he had the pleasure of seeing the present Pope, in the city of Todi, while he (Father Cesar) was a student at that place. At that time the present Pope was Cardinal Bishop of Perugia. In the year 1857, this same Father Cesar was favored to see him at Agnani. The new Pope was born at Carpineto, near the city of Agnani, and in 1857 visited his old home and remained in the Convent of the Minor Conventuals of St. Francis during his stay. Father Cesar was at that time a student in that place, and had the happiness of forming his acquaintance. Now Cardinal Pius, as Pontiff, governs the whole Roman Catholic Church.

On good authority it is stated that Pope Leo XIII. was not chosen by adoration, but by the requisite majority of the Conclave; that Cardinal Bilio having declined to be a candidate. His partisans, numbering nine Cardinals, gave their votes for Cardinal Pius; that when the votes were counted, all the Cardinals met at the feet of the Pope, and that this act has been construed as an election by adoration.

## Hon. W. N. Sweeney.

(Owensboro Examiner.)

This gentleman is now unqualifiedly a candidate for the Appellate Judgeship, and left his home in this city on the 14th instant, to open the canvass of the District. As the District comprises a large territory—9 counties—Mr. Sweeney must, of necessity, be a comparative stranger to a great number of people who will be called on to cast their votes for Appellate Judge in the coming election, and we think, therefore, that a brief biographical sketch of the gentleman was inappropriate. He was born in Casey county, Ky., on the 13th day of May, 1832, and will consequently be forty-five years of age on his next birthday. His father was the Clerk of the Courts of Casey for a number of years, and had been a lawyer. It was in the office of his father, and under his tuition as his deputy, that he acquired the rudiments of the law, and a thorough knowledge of legal forms. He completed his legal studies in the office of a brother-in-law—McDonnell Fogle, an eminent lawyer of Liberty, the county seat of Casey. On the 4th of May, 1853, the day before he attained his majority, he arrived in Owensboro, where he has ever since resided. At that time the Owensboro bar was full, and amongst its members were some of the ablest lawyers in Kentucky. It would have been natural to suppose that one so young and inexperienced as Mr. Sweeney then was, would be able to cope with such lawyers, and that he would be destined to the long and tedious waiting common with young lawyers at such a bar. But his very earliest efforts demonstrated that he was possessed of a fund of legal learning far in advance of his years, and aptitude and skill in the use of it which made him a formidable competitor, even of the ablest and most experienced members of the bar. These qualities and acquirements to which were added indomitable energy, and an unequalled skill and rapidity in the mechanical part of his profession, immediately attracted the attention of the people; and business flowed in upon him so rapidly, that in a few years as he ordinarily takes a young lawyer to get a fair start, Mr. Sweeney had a full and lucrative practice, and was regarded as among the ablest lawyers at the bar. This position he has held up to this time, and from the beginning of his career in Owensboro to the present, his life has been one of almost unremitting study and labor in his profession; and we venture the assertion, that the records of our courts will show that he has compassed as much work within the time as can be exhibited in the same manner by any other lawyer in Kentucky. If it can be appropriately said of any one, that he is a natural lawyer, we think it can of Mr. Sweeney for the law, as is demonstrated by his great energies, and the common sentiment of the people and the bar, is a science peculiarly fitted to his genius. Mr. Sweeney is just now in the prime of his manhood, possessing a fine constitution in the enjoyment of excellent health, he has all the physical requisite to undergo the onerous labor which the present crowded state of the docket of the Appellate Court imposes upon the judge.

In politics Mr. Sweeney has always been a thorough Democrat, and while he has not been a politician, he has done much to build up the Democratic strength and maintain the unity of his party in Daviess county. He has never aspired to office before, except on two occasions. He was elected County Attorney for Daviess county in 1854, and to Congress in 1868. He discharged the duties of representative in Congress in a highly creditable manner, but he evidently had no political ambition, for when he could, without probable opposition, have been re-elected to Congress, he declined the honor and returned to his profession.

Mr. Sweeney has already several opponents, all reputed to be learned lawyers and highly honorable gentlemen; and nothing we have said of Mr. Sweeney is intended to prejudice the claims of any other one of the candidates.

## The New Liquor Bill.

The following is the new liquor law as it passed both Houses of the Legislature. Section 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That section 10 of chapter 29, article 35, title, "Crimes and Punishment," be, and the same is hereby repealed.

Sec. 2. That it shall not be lawful for any persons having a license to sell spirits, vinous or malt liquors by the drink, to sell, give or loan any such liquors, or the mixture of either, knowingly to any person who is an inebriate, or in the habit of becoming intoxicated or drunk by the use of any such liquors or to suffer or permit any such persons to drink of such liquors, or the mixture of either, in the bar-room, saloon, or in or upon any tenement or premises in his possession or under his control. Any one so offending shall be subject to a fine of fifty dollars for each offense, to be recovered by indictment of a grand jury in any court of competent jurisdiction, or by warrant before the county judge or a justice of the peace of the county in which the offense was committed; and the person so found guilty shall also be deemed as having forfeited his license, and the court before which his license shall so adjudge.

Sec. 3. That in addition to the fine aforesaid, the person who shall violate any of the provisions of the second section of this act, shall, together with his sureties on his bond, be liable to a civil action for damages by the wife, or the father, or the mother, or the child of such inebriate, or persons so in the habit of becoming intoxicated or drunk, in which punitive damages may be assessed.

Sec. 4. That this act shall take effect and be in force from the date of passage. The following amendments to section 3 were passed:

"Provided however, That the person so selling shall not be liable to civil action to the wife, father, or other relative, unless written notice, forbidding such sale, has been given the person, so selling prior to the offense complained of."

"Provided such action shall be brought within one year from the time the cause of action has occurred, and not after."

## Good Corn and Tobacco.

On February 1 the editor of the Harford (Ohio county) Herald distributed to the patrons of that paper \$105 in gold and premiums for the two great staples, corn and tobacco. The fair was held in the court-house in Harford, Ky., and drew quite a large crowd of the best farmers in that section. The samples of corn were each thirty ears, and of tobacco ten pounds. About two hundred samples were entered, and a finer display has rarely been seen in Kentucky. The premiums were offered a year ago, which caused many farmers to send abroad for the best seeds they could get in order to grow the crops with which to compete. Thus the good display was not accidental, but wholly consequent upon a determination brought about by Col. Barrett's offer of the premiums as above mentioned. There is no doubt that the farmers who competed for these premiums have increased their crops either in yield or quality. If this had been generally done, and the increase but five per cent, the benefit to the county would have been about \$25,000.

A prominent English agricultural paper is led to believe that the science of agriculture is progressing, and hence its supposition on the fact that farmers are taking more interest in facts and exhibitions of agricultural products than ever before. This is a good indication in Kentucky, too, we are on the up-grade of improvement.—Courier-Journal.

## Favorite Publications.

FRANK LESLIE'S CHIMNEY CORNER.—This beautiful periodical, the best American Family Journal, story paper and House Friend, has been the successful rival of all the week journals for the past thirteen years. It gained a place in the minds and hearts of our people, and now the name of its patron is Legion.

This year the "Chimney Corner" seems to be better than ever. Its serial stories are of the most absorbing and lively character, of great power, true to life and full of merit, taking a wide range of subjects to please every member of a household. The domestic story for the mother, the charming love-story for the daughters, the more romantic for the young men, the solid novel for the older readers, and then we have stirring adventures of the boys and fairy-stories for the children.

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## Letter from No. 6.

No. 6, Ohio County, Ky., Feb. 21. Editor Herald.—A good deal is being said already in regard to the coming election. Conjectures as to who the candidates will be—their prospects, &c., &c., are being made on all sides, and the character and standing of those already declared are being freely discussed by all. If a man wants the people to become thoroughly conversant with the personalities, and also those of his ancestors, just let him declare himself a candidate for their suffrages, and without any further trouble on his part his wish will be gratified to the full extent.

Our Murphy Club met at No. 8 last Saturday night, where those assembled were addressed by that veteran worker in the cause, Rev. R. C. Taylor, after which a social hour was devoted to our roll-book. The good work still goes bravely on.

Mr. John Hendrix, formerly of this neighborhood, and recently "doubled," has returned to his farm near Rockport. While we deplore his absence from our midst, we congratulate his new neighbors on this acquisition to their number. As for oneself (don't call us egotistical for referring to oneself) we have despaired of ever getting married, and are trying resignedly to say with—somebody, "I don't know who."

The girls are already assigned, and I am a superfluous man.

CHALEY.

## DO YOU WANT TO BUY New Goods? Good Goods?

## NICE GOODS

For the Least Money? Then go at once to

## CROMWELL,

AND VISIT THE—

—OLD RELIABLE STORE OF

## ISAAC MENDEL.

He is now receiving from the eastern markets,

A FULL STOCK OF

DRY GOODS, NOTIONS, BOOTS AND SHOES, HATS AND CAPS, CLOTHING!

OF EVERY DESCRIPTION FOR WINTER WEAR.

GENT'S FURNISHING GOODS, LADIES' DRESS GOODS,

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He is selling at prices as low as can be found in any retail house in Kentucky. He only asks a trial to convince you that he means just what he says.

## BAER BROS. &amp; CO.

HAVE A FIRST-CLASS STOCK

OF

Clothing, Boots, Shoes, Hats, Notions, Fancy Goods, &amp;c., in their store at J. B. Lewis' old stand in

HARTFORD.

They also have a similar stock, with the addition of a good assortment of Family Groceries, Tinware, Stoves, Queensware, Hardware

AND

Cutlery, at their branch store, in

BEAVER DAM.

These Goods were bought at rock-bottom prices, and we

WILL POSITIVELY

sell them the same way. We can

FURNISH

anything desired, that is usually found in a retail country store, and will sell as cheap as any house in this part of the West. We solicit

EVERY GIRL

and young men, and old bachelor,

WIDOW

and widower, every married woman

AND

UNMARRIED WOMAN

and everybody else, of every sex, age

profession and occupation,

IN OHIO COUNTY

to call and examine our stocks of goods,

AND

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We can undoubtedly sell you

A GOOD

outfit in clothing cheaper than anybody

as we are determined to close out our

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have the best and largest assortment of

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trouble for us to wait on customers, and

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FREE OF CHARGE,

whether they may purchase or not

IF

you will give us a trial you will be pleased.

We have secured the services of Mr.

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Mr. H. Willis Lewis, at Hartford, as

salesmen.

THEY WILL

be pleased to have their friends and

acquaintances call if they

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look through our stocks of goods, for

they feel assured that all who call

and examine will always

BUY THEIR

Groceries, Clothing, and everything

else in the

GOODS

line, at our

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THEM

before buying elsewhere. We guarantee

satisfaction. Respectfully,

BAER BROS. &amp; CO.

H. W. LEWIS, Hartford,

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ONE BLACK HARE, about fifteen months high, with bold face and white feet, heavy mane and tail, and one fore leg a little crooked. Any information will be gladly received and liberally paid for. Address, T. J. WILSON, Cromwell, Ky.

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